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EXAMINER

DIXON, THOMAS A

ART UNIT

PAPER NUMBER

3629

DATE MAILED: 08/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/725,080

Applicant(s)

HIMES, STEVEN G.

Examiner

Thomas A. Dixon

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 18 July 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1, 15, 30, 31, 45, 60, 75, 90, 101, 116, 120, 130 and 136-245 is/are pending in the application.
- 4a) Of the above claim(s) See Continuation Sheet is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1, 15, 30, 31, 45, 60, 75, 90, 101, 116, 120, 130 and 136-245 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

**Continuation of Disposition of Claims:**

**Claims withdrawn from consideration are:**

**2-14,16-29,32-44,46-59,62-74,76-89,91-100,102-115,117-119,121-130 and 132-135.**

**DETAILED ACTION**

1. Claims 2-14, 16-29, 32-44, 46-59, 62-74, 76-89, 91-100, 102-115, 117-119, 121-130, and 132-135 have been cancelled.

Claims 136-240 and 241-245 have been added.

2. Update search revealed the newly claimed feature of selectively offering of an incentive in the Fulcher reference.

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 15, 30, 31, 45, 30, 60, 61, 75, 90, 101, 116, 131, 136-146, 148-150, 152-157, 159-169, 171-173, 175-180, 182-192, 194-196, 198-203, 205-212, 214-224, 226-236, 238-245 are rejected under 35 U.S.C. 103(a) as being anticipated by Yacoob (6,170,742) in view of Fulcher et al (6,505,774).

As per Claim 1, 15, 45, 75.

Yacoob ('742) discloses an apparatus comprising:

a reader capable of processing input and output from a smart card, see figure 4 (3003, 3004);

entering means to enter supplemental data, see (3000);

transmitting means to transmit input data and supplemental data to a data management system, see (3005);

generating means to generate response data from the data management system, see column 20, lines 20-55;

displaying means to display data, see (3000);

updating means to update the input data based in part on the supplemental data and the response data, see (3000) and column 21, lines 15-26;

storing means to store the updated input data, see (3002, 3004, 3005).

printing means to print the input data, supplemental data and response data, see figure 12 (122).

Yacoob ('742) does not disclose:

selectively offering an incentive package and

selecting means to select a language from a plurality of choices for use in any printed and displayed text.

Fulcher et al ('774) figure 11 (702) teaches selectively offering an incentive, in the form of lower rates to longer term parkers or a coupon for future parking is dispensed based on the remaining time if more parking is paid for than is actually used, see column 17, lines 36-40 and column 18, lines 38-56, and a means for a user to select an alternate language, see column 18, lines 9-21, for customer retention and convenience of the user.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to modify the invention of Yacoob ('742) to include the selective incentive and language selection features of Fulcher et al ('774) for the benefit of customer retention and user convenience.

As per Claim 30, 60, 90, 101, 116, 131.

Yacoob ('742) further discloses:

1. a plurality of smart cards, see figure 4 (3004);
2. a smart card reader, see (3003);

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3. a data entry station, communicating with the smart card reader, see (3000);
4. a printer, communicating with the data entry station, see figure 13 (789); the communication link is wire and wireless communication, see figure 4 (3006). Yacoob ('742) does not disclose:  
selectively providing a customer incentive package,  
selecting means to select a language from a plurality of choices for use in any printed and displayed text.

Fulcher et al ('774) figure 11 (702) teaches selectively offering an incentive, in the form of lower rates to longer term parkers or a coupon for future parking is dispensed based on the remaining time if more parking is paid for than is actually used, see column 17, lines 36-40 and column 18, lines 38-56, and a means for a user to select an alternate language, see column 18, lines 9-21, for customer retention and convenience of the user.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to modify the invention of Yacoob ('742) to include the selective incentive and language selection features of Fulcher et al ('774) for the benefit of customer retention and user convenience.

As per Claim 31, 61.

- Yacoob ('742) discloses an apparatus comprising:
- a reader capable of processing input and output from a smart card, see figure 4 (3003, 3004);
  - entering means to enter supplemental data, see (3000);
  - transmitting means to transmit input data and supplemental data to a data management system, see (3005);
  - generating means to generate response data from the data management system, see column 20, lines 20-55;
  - displaying means to display data, see (3000);
  - updating means to update the input data based in part on the supplemental data and the response data, see (3000) and column 21, lines 15-26;
  - storing means to store the updated input data, see (3002, 3004, 3005).
  - checking access authorization of the input data from the user, see figure 5 (2001);
  - printing means to print the input data, supplemental data and response data, see figure 12 (122).
- Yacoob ('742) does not disclose:  
selectively offering an incentive package and  
selecting means to select a language from a plurality of choices for use in any printed and displayed text .

Fulcher et al ('774) figure 11 (702) teaches selectively offering an incentive, in the form of lower rates to longer term parkers or a coupon for future parking is dispensed based on the remaining time if more parking is paid for than is actually used, see column 17, lines 36-40 and column 18, lines 38-56, and a means for a user to

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select an alternate language, see column 18, lines 9-21, for customer retention and convenience of the user.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to modify the invention of Yacoob ('742) to include the selective incentive and language selection features of Fulcher et al ('774) for the benefit of customer retention and user convenience.

As per Claim 136, 159, 182, 191.

Yacoob ('742) further discloses the reader is capable of processing input and output from a portable information storage device, see figure 4 (3003).

As per Claim 137, 160, 183.

Yacoob ('742) further discloses the transmitting means is wire or wireless, see figure 4 (3006).

As per Claim 138.

Yacoob ('742) further discloses the input data is maintenance schedule data, see column 20, lines 48-55.

As per Claim 139.

Yacoob ('742) further discloses the supplemental data is contact information, see figure 1, (1120).

As per Claim 140.

Yacoob ('742) further discloses the response data comprises recommended services, see column 20, lines 48-55 and savings, see column 3, lines 1-11.

As per Claim 141, 192.

Yacoob ('742) further discloses the data management system comprises a vehicle dealership management system, see abstract and column 2, lines 53-61.

As per Claim 142.

Yacoob ('742) further discloses the input data comprises a personal identification number, see figure 1 (1113).

As per Claim 143.

Yacoob ('742) further discloses the data input comprise administrator data that permit functions to be performed that are reserved for a system administrator, see figure 1 (1114).

As per Claim 144.

Yacoob ('742) further discloses checking means to check access authorization of the input data from the user, see figure 5 (2001).

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As per Claim 145, 168.

Yacoob ('742) further discloses the storing means is a portable storage device comprising a smart card, see figure 4 (3004).

As per Claim 146, 164, 169, 187.

Yacoob ('742) further discloses the storing means is a dealer database system, see figure 4 (3002, 3005) and column 2, lines 53-62.

As per Claim 148, 171, 194.

Yacoob ('742) further discloses a printing means to print the input data, see figure 13 (789), column 14, lines 38-42, and column 20, line 65 – column 21, line 26.

As per Claim 149, 172, 195.

Yacoob ('742) further discloses:

a) the DMS and SCS are adapted to access data stored on the smart card and store accessed data in the DMS and print and display the accessed data, see column 6, lines 31-59 and column 20, lines 20-55;

b) the DMS and SCS are adapted to access data stored in the DMS and store the accessed data on the SCS and print and display the accessed data, see column 20, lines 20-55;

c) the DMS and SCS are adapted to generate data in a user session and store the generated data in the DMS and SCS and to print and display the generated data, see column 20, lines 48-55; and

d) the SCS is adapted to receive input of supplemental data and store the inputted data in the DMS and SCS and to print and display the inputted data, see column 14, lines 38-42 and column 20, line 65 – column 21, line 26;

As per Claim 150, 173, 196, 205, 206, 217, 218, 229, 230.

Yacoob ('742) further discloses the data entry station is a keyboard with a mouse and a touch screen, see figure 13 (782) and column 14, lines 54-59.

As per Claim 152, 161, 175, 184, 198, 207, 219, 231.

Yacoob ('742) further discloses the inputted data comprising customer information, see figure 1 (1140), vehicle information, (1000), maintenance schedule information, see (1030), coupon information, see column 3, lines 1-2.

As per Claim 153, 162, 176, 185, 199, 208, 220, 232, 233.

Yacoob ('742) further discloses contact information, see figure 1 (1120).

As per Claim 154, 163, 177, 186, 200, 209, 221, 234.

Yacoob ('742) further discloses savings, see column 3, lines 1-2.

As per Claim 155, 165, 178, 188, 201, 210, 222, 235.



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Yacoob ('742) further discloses a personal identification number, see figure 1 (1113).

As per Claim 156, 166, 179, 189, 202, 211, 213, 236.

Yacoob ('742) further discloses administrator data that permit functions to be performed that are reserved for a system administrator, see figure 1 (1114).

As per Claim 157, 167, 180, 190, 203, 212, 214.

Yacoob ('742) further discloses a checking means to check for authorization of data input from a user, see (785) and figure 5 (2001).

As per Claim 214, 226, 238.

Yacoob ('742) further discloses storing and accessing information regarding vehicle dealership activities, see figure 4 (3004) and column 20, lines 20-55.

As per Claim 215, 227, 239.

Yacoob ('742) further discloses generating, see column 20, lines 48-55, storing in a portable storage device comprising a smart card, see figure 4 (3004), and printing, see column 14, lines 38-42 and column 20, line 65 – column 21, line 26.

As per Claim 216, 228, 240.

Yacoob ('742) further discloses receiving and storing information to the SCS and to print and display the information, see column 20, line 20 – column 21, line 26.

As per Claim 241-245.

Yacoob ('742) does not disclose the customer incentive package is at least in part parameterized.

Fulcher et al ('774) figure 11 (702) teaches the customer incentive package is at least in part parameterized, lower rates are offered based on longer parking terms or a coupon for future parking is dispensed based on the remaining time if more parking is paid for than is actually used, see column 17, lines 36-40 and column 18, lines 38-56, and a means for a user to select an alternate language, see column 18, lines 9-21, for customer retention and convenience of the user.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to modify the invention of Yacoob ('742) to include the selective incentive and language selection features of Fulcher et al ('774) for the benefit of customer retention and user convenience.

5      Claims 120, 147, 151, 158, 170, 174, 181, 193, 197, 204, 213, 225, 237 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yacoob (6,170,742) in view

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of Fulcher et al (6,505,774) further in view of Filepp et al (5,347,632) or Collins-Rector et al (6,188,398).

As per Claim 120.

Yacoob ('742) discloses:

receiving input data on a plurality of cards, see figure 4 (3004);

reading the smart cards with a smart card reader, see (3003);

entering and displaying data on a data entry station, said data entry station communicating with the smart card reader, see figure 4 (3000)

printing data with a printer, said printer communicating with the data entry station, see figure 13 (789);

checking an access authorization of the input data from the user, see figure 5 (2001);

a data entry station comprising:

a touch screen, keyboard and mouse, see column 14, lines 54-59;

inputted data comprising:

customer information, see figure 1 (1140), vehicle information (100) maintenance schedule information (1030), coupon information, see column 3, lines 1-2, personal identification number, see (1113) and administrator data that permits functions to be performed that are reserved for a system administrator, see (1114);

supplemental data comprising recommended services, see column 20, lines 48-55, and contact information, see figure 1 (1120);

response data comprising savings amount, see column 3, lines 1-11;

Yacoob ('742) does not specifically disclose displaying selecting a language from a plurality of choices for use in any printed and displayed text and displaying pop-up video clips.

Fulcher et al ('774) figure 11 (702) teaches a means for a user to select an alternate language for the convenience of the user and for storage and analysis of customer language preferences.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to modify the invention of Yacoob ('742) to include the language selection feature of Fulcher et al ('774) for the benefit of future analysis of language preferences of customers.

Filepp et al ('632), see figure 3a (280) and Collins-Rector et al ('398) figure 2 (31, 33) teach displaying ads or video in order to create an enhanced advertisement experience.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to display pop-up video clips as taught by Filepp et al ('632) or Collins-Rector et al ('398) in the invention of Yacoob ('742) to create an enhanced advertisement experience.

As per Claim 147, 158, 170, 181, 193, 204, 213, 225, 237.

Yacoob ('742) further discloses displaying means, see figure 4 (3000).

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Yacoob ('742) does not specifically disclose displaying pop-up video clips.

Filepp et al ('632), see figure 3a (280) and Collins-Rector et al ('398) figure 2 (31, 33) teach displaying ads or video in order to create an enhanced advertisement experience.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to display pop-up video clips as taught by Filepp et al ('632) or Collins-Rector et al ('398) in the invention of Yacoob ('742) to create an enhanced advertisement experience.

As per Claim 151, 174, 197.

Yacoob ('742) further discloses the data entry station is a keyboard with a mouse and a touch screen, see figure 13 (782) and column 14, lines 54-59;

Yacoob ('742) discloses a communications network, but does not specifically disclose the Internet.

Collins-Rector et al ('398) teaches the communications link is the Internet, see column 1, lines 11-23, as a normal progression of technology.

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to use the Internet as the communications link as taught by Collins-Rector et al ('398).

#### ***Other Art Made of Record***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chapin, Jr ('878) discloses display and printing of coupons in an auto maintenance environment, see figure 5 and column 5, lines 9-50.

Latchinian et al ('142) column 4, lines 22-27 and Garnier ('777) column 4, lines 22-25 disclose a means to allow a user to make a choice for language.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Dixon whose telephone number is (703) 305-4645. The examiner can normally be reached on Monday - Thursday 6:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (703) 308-2702. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 746-5529 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.



Thomas A. Dixon  
Examiner  
Art Unit 3629

August 7, 2003